

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2010-093150

05/09/2012

HONORABLE TIMOTHY J. RYAN

CLERK OF THE COURT

I. Ostrander

Deputy

IN RE THE MARRIAGE OF  
ELIZABETH MUELHAUPT

JAMI I WILENCHIK

AND

JOHN COMMON

JOHN COMMON

UP

DR ROBBIE ADLER-TAPIA  
1615 E WARNER RD STE 2  
TEMPE AZ 85284

**EVIDENTIARY HEARING**

Courtroom 402 SEF

Prior to commencement of this proceeding, Petitioner's exhibits 1 through 44 are marked for identification.

10:13 a.m. This is the time set for Evidentiary Hearing regarding Petitioner's *Petition to Enforce Child Custody Order and for Warrant to Take Physical Custody of Child* filed on December 2, 2011, and Petitioner's *Petition to Modify Child Custody and Parenting Time as Supplement to Petition to Enforce Child Custody Order and Request that Petition to Modify Be Heard at May 9, 2012, Trial* filed on March 21, 2012. Petitioner/Mother is present and is represented by counsel, Jami I. Wilenchik and Greg Larson. Respondent/Father is present on his own behalf.

Court Reporter Kristen Brown is present and taking the official record.

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A record of the proceedings also is made by audio and/or videotape.

Petitioner's case:

**LET THE RECORD REFLECT** Daniel Pfitzer appears telephonically in open court at 10:17 a.m. For purposes of this witness only, the official record is made by audio and/or videotape only.

Daniel Pfitzer is sworn and testifies.

The witness is excused and is released from further testimony.

The official record is now being made by court reporter Kristen Brown.

A record of the proceedings also is made by audio and/or videotape.

John Heinzelman is sworn and testifies.

Petitioner's exhibit 11 is received in evidence.

The witness is excused and is released from further testimony.

Elizabeth Muelhaupt is sworn and testifies.

Petitioner's exhibit 1 is received in evidence.

Petitioner's exhibit 2 is received in evidence.

Petitioner's exhibit 3 is received in evidence.

Petitioner's exhibit 4 is received in evidence.

Petitioner's exhibit 5 is received in evidence.

Petitioner's exhibit 6 is received in evidence.

Petitioner's exhibit 7 is received in evidence.

Petitioner's exhibit 8 is received in evidence.

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Petitioner's exhibit 9 is received in evidence.

Petitioner's exhibit 10 is received in evidence.

11:34 a.m. Court stands in recess.

11: 46 a.m. Court reconvenes, with the parties and counsel for Mother present.

Court Reporter Kristen Brown is present and taking the official record.

A record of the proceedings also is made by audio and/or videotape.

Petitioner's case resumes.

Elizabeth Muelhaupt resumes testimony.

Petitioner's exhibit 29 is received in evidence.

Petitioner's exhibit 43 is received in evidence.

Petitioner's exhibit 42 is received in evidence.

Petitioner's exhibit 36 is received in evidence.

Petitioner's exhibit 37 is received in evidence.

Petitioner's exhibit 38 is received in evidence.

Petitioner's exhibit 39 is received in evidence.

Petitioner's exhibit 40 is received in evidence.

Petitioner's exhibit 41 is received in evidence.

12:04 p.m. Court stands in recess.

2:19 p.m. Court reconvenes, with the parties and counsel for Mother present.

Court Reporter Kristen Brown is present and taking the official record.

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A record of the proceedings also is made by audio and/or videotape.

Petitioner's case resumes.

Elizabeth Muelhaupt resumes testimony.

Based upon the stipulation of the parties,

**IT IS ORDERED** appointing Dr. Robbie Adler-Tapia as counselor for Jacqueline. Mother agrees that Grace will continue with her counseling with Dr. Robbie Adler-Tapia.

Respondent's exhibit 45 is marked for identification.

Respondent's exhibit 45 is received in evidence.

Respondent's exhibit 46 is marked for identification.

Respondent's exhibit 46 is received in evidence.

Respondent's exhibit 47 is marked for identification.

Respondent's exhibit 47 is received in evidence.

**LET THE RECORD REFLECT** the parties agree that neither parent shall smoke with the minor children in his or her residence.

3:49 p.m. Court stands in recess.

4:10 p.m. Court reconvenes, with the parties and counsel for Mother present.

Court Reporter Kristen Brown is present and taking the official record.

A record of the proceedings also is made by audio and/or videotape.

Petitioner's case resumes.

Elizabeth Muelhaupt resumes testimony.

Jamie Pierce is sworn and testifies.

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Petitioner's exhibit 32 is received in evidence.

Petitioner's exhibit 31 is received in evidence.

The witness is excused and is released from further testimony.

Petitioner rests.

**LET THE RECORD REFLECT** the court reporter is released at 4:52 p.m. and the official record is made by audio and/or videotape only.

Respondent's case:

John Common is sworn and testifies.

Respondent rests.

**IT IS ORDERED** taking this matter under advisement.

There being no further need to retain the exhibits currently in the custody of the division clerk,

**IT IS ORDERED** that the clerk permanently release those exhibits not offered or received in evidence to the counsel/party causing them to be marked or to a written designee.

**IT IS FURTHER ORDERED** that counsel/party or written designee take immediate possession of all exhibits referenced above.

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81 (D), Arizona Rules of Family Law Procedure.

DATED this 9<sup>th</sup> day of May 2012.

/S/ HONORABLE TIMOTHY J. RYAN

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HONORABLE TIMOTHY J. RYAN  
JUDICIAL OFFICER OF THE SUPERIOR COURT

5:10 p.m. Hearing concludes.

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FILED: Hearing Worksheet

**LATER:**

On the Court's own motion,

**IT IS ORDERED** setting continued Evidentiary Hearing on **May 14, 2012, at 1:00 p.m.**  
**(time allotted: 1 hour)** in this division.

This matter will be taken under advisement upon completion of the hearing on May 14, 2012.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.